



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

Jackson County Courthouse
415 East 12th Street, 2nd floor
Kansas City, Missouri 64106
(816)881-3242

*Scott Burnett (1st), Chairman, Henry C. Rizzo (2nd AL), Vice-Chairman,
Theresa Garza Ruiz (1st AL), Fred Arbanas (3rd AL), James D. Tindall (2nd),
Dennis Waits (3rd), Dan Tarwater (4th), Greg Grounds (5th),
Bob Spence (6th)*

Monday, August 31, 2009

2:30 PM

Thirty-fourth Regular Meeting

K.C. Legislative Assembly Area, Kansas City, Missouri

Scott Burnett, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Scott Burnett, Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

2 THE PLEDGE OF ALLEGIANCE

Recited.

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3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dan Tarwater moved to approve the journal of the previous meeting held on 8/24/2009.
Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

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4 HEARINGS

Resolution #16997 was adopted at this time. See page 5 for details.

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5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Mike Sanders, County Executive, said Resolution #16999 was on the agenda regarding extending the time to negotiate the MOU between the Jackson County Prosecutor and Local #42.

Michele Newman, Director of Parks and Recreation, received her 25 year service pin.

Resolution #16999 was adopted at this time. See page 5 for details.

Report on H1N1 virus from John Bluford, President/CEO Truman Medical Centers and Jim Kelly, Administrator of the Jackson County Health Department.

Mike Curry, Emergency Preparedness Coordinator, said they are looking at alternatives in the event there is a pandemic with the H1N1 virus.

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6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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[4126](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the Consent Agenda.

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[4126](#) Fred Arbanas moved to perfect Ordinance #4126. Seconded by Bob Spence.

The motion passed by a voice vote. (PERFECTED)

[4126](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4126. Seconded by Bob Spence.

The motion passed by a voice vote. (APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[4131](#) Approving a conditional use permit (CUP) in District A (Agricultural) for a period of five (5) years to provide group residential facilities for men, as to a 10 ± acre tract .

(WITHDRAWN BY SPONSOR ARBANAS. CONCURRED BY TARWATER AND WAITS.)

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[4133](#) Justice and Law Enforcement Committee moved to perfect. Consent Agenda.

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7 FINAL PASSAGE OF PROPOSED ORDINANCES

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[4126](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

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[16994](#) Anti-Drug Committee moved do pass. Consent Agenda.

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9 CONSENT AGENDA

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[4133](#) AN ORDINANCE appropriating \$14,662.50 from the fund balance of the 2009 General Fund for use by the Circuit Court to cover special prosecutor's fees. (PERFECTED)

[4126](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from Districts LI (Light Industrial) and RO-p (Residential and Office Use - Planned Development) to District GB (General Business) a certain 2.3 ± acre tract. (ADOPTED)

[16994](#) A RESOLUTION transferring \$30,160.00 within the 2009 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute an agreement with Kansas City Community Center for anti-drug treatment activities and purposes, at a cost to the County not to exceed \$30,160.00. (ADOPTED)

To perfect Ordinance 4133. To adopt Ordinance 4126. To adopt Resolution 16994.

Dennis Waits moved the passage of the consent agenda. Seconded by Henry C. Rizzo. The motion passed by a roll call vote:

Yes: 9 - Theresa Garza Ruiz, Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

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[4135](#) Theresa Garza Ruiz moved to perfect Ordinance #4135. Seconded by Dennis Waits. **The motion passed by a voice vote.** (PERFECTED)

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[4135](#) Theresa Garza Ruiz moved to suspend the rules to consider final passage of Ordinance #4135. Seconded by Dennis Waits. **The motion passed by a voice vote.** (APPROVED)

[4135](#) Theresa Garza Ruiz moved the passage of Ordinance #4135 as perfected, appropriating \$2,500.00 from the unappropriated surplus of the 2009 Grant Fund and authorizing the County Executive to execute a contract with the Missouri Safety Center in acceptance of the Jackson County Sheriff's Office's Click It or Ticket Overtime Enforcement grant. Seconded by Dennis Waits. Yes: 9 - Theresa Garza Ruiz, Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence (ADOPTED)

- [4136](#) Theresa Garza Ruiz moved to perfect Ordinance #4136. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
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- [4136](#) Theresa Garza Ruiz moved to suspend the rules to consider final passage of Ordinance #4136. Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
- [4136](#) Theresa Garza Ruiz moved the passage of Ordinance #4136 as perfected, appropriating \$33,232.15 from the fund balance of the 2009 Grant Fund in acceptance of a grant awarded to the Family Court Division by the Missouri Department of Elementary and Secondary Education for the National School Lunch Program, Juvenile Detention Food Service Program, for the period of July 23, 2009, through October 23, 2009. Seconded by Dan Tarwater.
Yes: 9 - Theresa Garza Ruiz, Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
(ADOPTED)
- [4137](#) Appropriating \$68,317.06 from the fund balance of the 2009 Grant Fund in acceptance of the Family Court Division's After School Supervision Education & Treatment Equipping for the Future Program Grant received from the Missouri Department of Social Services, Division of Youth Services.
(Justice and Law Enforcement Committee)
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- [4138](#) Appropriating \$133,145.83 from the fund balance of the 2009 Grant Fund in acceptance of the Family Court Division's Facilitating Treatment Delivery Grant received from the Missouri Department of Social Services, Division of Youth Services.
(Justice and Law Enforcement Committee)
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- [4139](#) Appropriating \$51,080.69 from the fund balance of the 2009 Grant Fund in acceptance of the Family Court Division's School Based Prevention and Diversionary Program Grant received from the Missouri Department of Social Services, Division of Youth Services.
(Justice and Law Enforcement Committee)
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- [4140](#) Appropriating \$36,000.00 from the fund balance of the 2009 Grant Fund in acceptance of the Family Court Division's Community Outreach Restitution Program Grant received from the Missouri Department of Social Services, Division of Youth Services.
(Justice and Law Enforcement Committee)

Keith Faddis, Public Safety Program Director with MARC reported on Ordinance #4141.
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[4141](#) Dennis Waits moved to perfect Ordinance #4141. Seconded by James D. Tindall.
The motion passed by a voice vote. (PERFECTED)

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[4141](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #4141. Seconded by James D. Tindall.
The motion passed by a voice vote. (APPROVED)

[4141](#) Dennis Waits moved the passage of Ordinance #4141 as perfected, imposing a tax of 4.25% of the tariff rate for each local telephone access line, not to exceed 100 lines per person or per location, for emergency telephone service utilizing a single three-digit number "911.". Seconded by James D. Tindall.
Yes: 9 - Theresa Garza Ruiz, Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
(ADOPTED)

[4142](#) Setting the 2009 Jackson County Community Mental Health Fund Levy.
(Legislature As A Whole)

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[4143](#) Setting the 2009 merchants and manufacturers' inventory replacement tax levy.
(Legislature As A Whole)

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[4144](#) Setting the 2009 Jackson County Board of Services for the Developmentally Disabled (Sheltered Workshop) Levy.
(Legislature As A Whole)

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[4145](#) Setting the 2009 Jackson County, Missouri, tax levy.
(Legislature As A Whole)

The Legislature As A Whole will have a public hearing regarding Ordinances #4142, #4143, #4144, and #4145 on Monday, September 14, 2009 at 2:30 P.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.

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11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[16995](#) Supporting the Kansas City Area Rock Island Corridor Coalition in their efforts to protect the Old Rock Island Railroad corridor for trail and future transit use.

(Public Works Committee)

*Bob Spence moved to reconsider Resolution #16995. Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)*

[16995](#) Bob Spence moved the passage of Resolution #16995, supporting the Kansas City Area Rock Island Corridor Coalition in their efforts to protect the Old Rock Island Railroad corridor for trail and future transit use. Seconded by Dan Tarwater.

Yes: 9 - Theresa Garza Ruiz, Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

(ADOPTED)

[16996](#) Theresa Garza Ruiz moved the passage of Resolution #16996, authorizing the County Executive to execute a cooperative agreement with the Fort Osage School District for one deputy to serve as the School Resource Officer at the Fort Osage High School, at no cost to the County. Seconded by Dan Tarwater.

Yes: 9 - Theresa Garza Ruiz, Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

(ADOPTED)

[16997](#) Dan Tarwater moved the passage of Resolution #16997, congratulating the Kansas City Tribe on completing their season as the World Champions of women's professional football. Seconded by Theresa Garza Ruiz.

Yes: 9 - Theresa Garza Ruiz, Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

(ADOPTED)

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[16998](#) Authorizing the County Executive to execute the First Amendment to the Intergovernmental Cooperative Agreement with the City of Kansas City, Missouri, for a regional solution to detention capacity in Jackson County, Missouri.

(Justice and Law Enforcement Committee)

No objection to the consideration of Resolution #16999 - not on printed agenda.

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[16999](#)

Dennis Waits moved the passage of Resolution #16999, authorizing the County Executive to execute an Agreement to Extend the Memorandum of Understanding with Local Union No. 42 of the International Association of Fire Fighters through October 5, 2009. Seconded by Dan Tarwater.

Yes: 8 - Theresa Garza Ruiz, Scott Burnett, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds

No: 1 - Bob Spence

(ADOPTED)

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12 COUNTY EXECUTIVE ORDERS

None.

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13 UNFINISHED BUSINESS

None.

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14 NEW BUSINESS

Henry C. Rizzo, County Legislator, commended Fred Arbanas' grandson, Frank Arbanas, quarterback on the football team at Rockhurst. Rockhurst High School captured a 35-13 win against Blue Springs South on Friday, August 28th.

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15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

The County Legislature will not meet September 7th in observance of the Labor Day holiday.

Meeting adjourned until Monday, September 14, 2009 at 2:30 P.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.

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